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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,018	09/11/2003	Hsieh Kun Lee		8583
25859	7590	06/28/2005	EXAMINER	
WEI TE CHUNG			BUI, HUNG S	
FOXCONN INTERNATIONAL, INC.				
1650 MEMOREX DRIVE			ART UNIT	
SANTA CLARA, CA 95050			PAPER NUMBER	
			2841	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/662,018

Applicant(s)

LEE ET AL.

Examiner

Hung S. Bui

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/11/2003</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Sullivan et al. [US 6,557,626].

Regarding claim 1, O'Sullivan et al. disclose a heat dissipation assembly (figures 1-4) comprising:

- a heat sink (figure 4) comprising a plurality of radial fins (38), a circumferential groove (figure 4) being defined in an end portion of the heat sink;
- a fan (10); and
- a fan holder (18) defining an opening in communication with both the fan and the heat sink, a plurality of securing portions (58a) formed from a side of the fan holder and comprising inward flanges received in the groove of the heat sink, one of the flanges having an inner protrusion disposed between two of the fins (figures 1-4).

Regarding claim 2, O'Sullivan et al. disclose a plurality of pins and hooks extends from an opposite side of the fan holder, the pins and the hooks cooperatively securing the fan to the fan holder with respect to all three Cartesian axes (figure 3).

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Regarding claim 3, O'Sullivan et al. disclose the fan comprises a frame defining a plurality of locating holes therein, the pins of the fan holder being inserted in the locating holes for preventing the fan from moving in directions parallel to the fan holder (figures 1-2).

Regarding claim 6, O'Sullivan et al. disclose the securing portions comprises a locating portion (30) and a pair of opposing locking portions (66) perpendicular to the locating portion and adjacent opposite ends of the locating portion respectively (figure 1).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Sullivan et al. in view of Qiu [US 2002/0060900].

Regarding claims 4-5, O'Sullivan et al. disclose the instant invention except for the hook each comprise a stopping face parallel to an spaced from the opposite side of the fan holder, the stopping faces preventing the fan moving away from the fan holder.

Qiu discloses a fan holder assembly having a plurality of hooks (14, 15) mounted thereon, each of hook has a stopping face parallel to an spaced from the surface of the fan holder to prevent the fan moving away thereof (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a hook design of Qiu with the fan holder of O'Sullivan et al., in order to secure the fan to the fan holder.

5. Claims 7, 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Sullivan et al. in view of Lee et al. [US 6,392,885].

Regarding claim 7, O'Sullivan et al. disclose the instant invention except for the fan holder having the flanges comprise a locating flange extending from a top of the locating portion, and a pair of locking flanges extending from tops of the locking portions respectively.

Lee et al. disclose a fan holder including a plurality of flanges, one of the flanges comprises a locating flange extending from a top of the locating portion and a plurality of locking flanges extending from tops of the locking portions respectively (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the flange design of Lee et al. with the fan holder of O'Sullivan et al., for the purpose of securing the fan holder to the heat sink.

Regarding claim 12, O'Sullivan et al. disclose the instant invention except for the flanges being parallel to and spaced from the fan holder.

Lee et al. further disclose the flanges being parallel to and spaced from the fan holder (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the flange design of Lee et al. with the fan holder of O'Sullivan et al. in order evenly to secure the fan holder to the heat sink.

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Regarding claims 13-14 and 16, O'Sullivan et al. disclose a heat dissipation assembly (figures 1-4) comprising:

- a heat sink (figure 4) comprising a plurality of spaced fins (38), the fins defining a circumferential groove at an end portion of the heat sink, the heat sink defining an inner periphery in the groove;
- a fan (10); and
- a fan holder (18) comprising a bracket (26) having the fan secured to one side thereof, wherein the fan holder comprises a plurality of securing portions (58a) formed from another side of the bracket to secure the inner periphery of the heat sink, wherein one of the flanges has an inner protrusion disposed between two of the fins (figures 1-4).

O'Sullivan et al. disclose the instant claimed invention except for the fan holder having the flanges comprise a locating flange extending from a top of the locating portion, and a pair of locking flanges extending from tops of the locking portions respectively.

Lee et al. disclose a fan holder assembly having a plurality of flanges comprise a locating flange extending from a top of the locating portion and a plurality of locking flanges extending from tops of the locking portions respectively, wherein the locking flanges are substantially perpendicular to the locating flange (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the flange design of Lee et al. with the fan holder of O'Sullivan et al., for the purpose of securing the fan holder to the heat sink.

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Regarding claim 15, Lee et al. further disclose the locking flanges each define a leading face distal from the locating flange, and the heat sink is received onto the fan holder via the leading faces (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to make leading face distal design at the locating flange for the purpose of enabling attachment the heat sink with the fan holder.

Regarding claim 17, the claim method steps are in the inherit in the product structure.

#### ***Allowable Subject Matter***

6. Claims 8-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: The cited references, O'Sullivan et al. in view of Lee et al., fail to teach or suggest the fan holder having the locating face, an arcuate locking face, wherein the locating face and the locking faces cooperatively define a circle having a diameter substantially the same as an inner diameter of the heat sink groove.

#### ***Conclusion***


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6/20/05  
Hung Bui  
Art unit 2841

  
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